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 U.S. DEPARTMENT OF EDUCATION

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

US RIGHT TO KNOW,)	No. 4:20-cv-09117-DMR
)	
Plaintiff,)	STIPULATION TO CONTINUE INITIAL CASE
)	MANAGEMENT CONFERENCE;
v.)	ORDER (AS MODIFIED)
)	
UNITED STATES DEPARTMENT OF)	
EDUCATION,)	
)	
Defendant.)	

Plaintiff US Right to Know (“Plaintiff”) and defendant United States Department of Education (“Defendant” or “Education Department”), by and through their undersigned counsel, hereby STIPULATE and respectfully REQUEST that the Court continue the parties’ initial case management conference (“CMC”) set for January 4, 2023 at 1:30 p.m., ECF No. 32, until **March 1, 2023 at 1:30 p.m.** This stipulation is based on the following facts:

1. This action, filed on December 17, 2020 under the Freedom of Information Act (“FOIA”), concerns one FOIA request that Plaintiff directed to the Education Department, dated July 6, 2020. ECF No. 1 ¶ 35; ECF No. 11 ¶ 35. The request seeks certain records that the University of Texas System (“UT”) submitted to the Education Department pursuant to the Education Department’s request. ECF No. 1 ¶ 36 & Ex. B. As the parties previously reported to the Court, since the filing of the lawsuit, the Education Department has answered the complaint, the parties have met and conferred regarding the

FOIA request and the collection and processing of records, including by telephone and email, Defendant completed the process of locating potentially responsive records, and the parties stipulated to a schedule for processing these records and working in good faith to resolve all issues in this case, ECF No. 20, which this Court entered as an order of the Court on April 15, 2021 (“Order”). ECF No. 21.

2. Since that time, the Education Department has completed its production of records in accordance with the Order and Plaintiff has confirmed that it has no issues concerning the Education Department’s production. Accordingly, as set forth in the Order, the parties will now meet and confer regarding Plaintiff’s demand for attorneys’ fees and costs, ECF No. 21 ¶ 6, and hereby stipulate and respectfully request that the Court continue the parties’ initial CMC by approximately two (2) months, from January 4, 2023 until March 1, 2023, so that the parties may engage in this process.

SO STIPULATED.

Respectfully submitted,

STEPHANIE M. HINDS
United States Attorney

Dated: December 28, 2022

By: /s/ Savith Iyengar
SAVITH IYENGAR
Assistant United States Attorney
Attorney for Defendant

PUBLIC JUSTICE

Dated: December 28, 2022

By: **/s/ Daniel C. Snyder
DANIEL C. SNYDER
Attorney for Plaintiff

SHUTE, MIHALY & WEINBERGER LLP

Dated: December 28, 2022

By: **/s/ Laura D. Beaton
LAURA D. BEATON
Attorney for Plaintiff

** Pursuant to Civ. L.R. 5-1(h)(3), the filer of the document has obtained approval from this signatory.

ORDER (AS MODIFIED)

IT IS HEREBY ORDERED that the Initial Case Management Conference currently set for January 4, 2023 at 1:30 p.m. is continued until April 5, 2023 at 1:30 p.m. in Oakland, by Videoconference only. The parties shall submit a joint case management conference statement by March 29, 2023.

IT IS SO ORDERED AS MODIFIED.

Dated: December 28, 2022

